

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-4088

Ronnie Lockard,	*	
	*	
Appellant,	*	
	*	
Ruby Lockard,	*	Appeal from the United States
	*	District Court for the
Plaintiff,	*	Eastern District of Arkansas.
	*	
v.	*	[UNPUBLISHED]
	*	
Farm Service Agency, Heber Springs,	*	
AR; Department of Agriculture;	*	
Len Blaylock, Jr.,	*	
	*	
Appellees.	*	

Submitted: July 17, 2003
Filed: July 24, 2003

Before BOWMAN, BYE, and MELLOY, Circuit Judges.

PER CURIAM.

Ronnie Lockard appeals the district court's¹ dismissal of his action against federal defendants. Lockard and his mother had previously brought a similar action

¹The Honorable Garnett Thomas Eisele, United States District Judge for the Eastern District of Arkansas.

in federal court that was dismissed for lack of jurisdiction, given monetary limits as to some claims and the failure to exhaust administrative remedies as to other claims. In the instant action the Lockards presented no additional allegations, and we conclude jurisdiction was still lacking. We therefore affirm the dismissal of this action for lack of jurisdiction, but modify the dismissal to be without prejudice. See Ahmed v. United States, 147 F.3d 791, 796 n.5, 797-98 (8th Cir. 1998) (district court's decision may be affirmed on any ground supported by record; dismissal for lack of jurisdiction is not adjudication on merits and thus should be without prejudice).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.